

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RODRIGUEZ RODRIGUEZ,

Plaintiff,

— against —

LUCKY LOTTO GROCER DELI CORP ET AL,

Defendants.

22-CV-2256 (ARR) (JRC)

NOT FOR ELECTRONIC OR
PRINT PUBLICATION

JUDGMENT

ROSS, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated July 19, 2024, from the Honorable James R. Cho, United States Magistrate Judge. *See R.& R.*, ECF No. 40. No objections have been filed. The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also Brissett v. Manhattan & Bronx Surface Transit Operating Auth.*, No. 09-CV-874 (CBA)(LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011), *aff’d*, 472 F. App’x 73 (2d Cir. 2012) (summary order). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017) (quoting *Est. of Ellington ex rel. Ellington v. Harbrew Imps. Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)). Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, the default motion is granted against defendants Lucky Lotto Grocery Deli Corp., NY Deli Grill Corp., Flatbush Garden Deli Corp., Saleh A. Muthana, and Saddam Gharama, jointly and severally. I award plaintiff damages totaling \$480,409, consisting of \$235,204.50 in

unpaid overtime compensation, \$10,000 in statutory damages, and \$235,204.50 in liquidated damages. In addition, I award plaintiff prejudgment interest at a rate of nine percent per annum from December 21, 2018 until the entry of judgment.

SO ORDERED.

/s/
Allyne R. Ross
United States District Judge

Dated: August 12, 2024
Brooklyn, New York